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APPLICATION NO.		LING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/840,033	()5/07/2004	Merton Hahne	2050505	7770	
22824	7590	03/03/2005		EXAM	EXAMINER	
DONALD			WINNER,	WINNER, TONY H		
4211 ROLL NIXA, MO		-	ART UNIT	PAPER NUMBER		
,				3611		
_			DATE MAILED: 03/03/2005			

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. Applicanties Application No. Applicanties Application No. Applicanties Art Unit						\sim 1
## Deficiency Examiner Tony H. Winner 3811 To	Office Action Summary		Applicati	on No.	Applicant(s)	
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 30 day MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 30 day MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. If the period for reply specified slove is less than bility (30) days, a reply within the statutory minimum of thirty (30) days will be considered direly. If the period for reply specified slove is less than bility (30) days, a reply within the statutory minimum of thirty (30) days will be considered direly. If the period for reply specified slove is less than bility (30) days, a reply within the statutory minimum of thirty (30) days will be considered direly. If the period for reply specified slove is less than bility (30) days, a reply within the statutory minimum of thirty (30) days will be considered direly. If the period for reply specified slove is less than bility (30) days, a reply within the statutory minimum of thirty (30) days will be considered direly. Any reply received by the Office later than there months after the mailing date of this communication. Any reply received by the Office later than there months after the mailing date of this communication. Any reply received by the Office later than the months after the mailing date of this communication. Any reply received by the Office later than the mailing date of this communication. Any reply received by the Office later than the mailing date of this communication. Any reply received by the Statutory reply date of the communication. Any reply received by the Statutory reply date of the communication. Any reply received by the Statutory reply reply reply reply received by the Statutory reply reply reply reply reply reply reply reply re			10/840,0	33	HAHNE ET A	.L. \
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Election/Restrictions

1. This application contains claims directed to the following patentably distinct species of the <u>tow bar</u> of the claimed invention:

- a. Species I is identified in Figures 1-6,
- b. Species II is identified in Figure 10,
- c. Species III is identified in Figure 11.
- 2. This application further contains claims directed to the following patentably distinct species of the **reinforced ball member** of the claimed invention:
 - a. Species I is identified in Figure 5,
 - b. Species II is identified in Figures 7-8,
 - c. Species III is identified in Figure 12.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species of the **tow bar and the reinforced ball member** for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claim 1 appears to be generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include

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all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

A telephone call is normally made prior to sending-out a written election requirement. However, per Section 812.01 of the MPEP, a telephone call is not required if the species election is considered complex, as is the case for this Instant Application.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

3. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Anthony H. Winner whose telephone number is (703) 306-5957. The examiner can normally be reached on Monday-Friday from 9:00 am to 5:00 pm.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

TONY WINNER
PATENT EXAMINER

February 25, 2005